

<http://dnr.mo.gov/env/wpp/rules/wpp-rule-dev.htm>

Missouri Department of Natural Resources
Public Notice of Regulatory Impact Report for
10 CSR 20-8.500, Design Requirements for Agrichemical Facilities
December 30, 2015 – March 3, 2016

The Department has published a Regulatory Impact Report (RIR) seeking comments regarding a revision to 10 CSR 20-8.500, Design Requirements for Agrichemical Facilities. A RIR is required at the beginning of the rulemaking process for rulemakings involving environmental standards or conditions. The RIR documents the environmental benefits and economic costs associated with the upcoming rulemaking. The department plans to propose an amendment to the Design Requirements for Agrichemical Facilities regulation. This regulation serves as a guide for the design, construction, and operations of primary, secondary and operational containment structures at bulk agrichemical facilities. This regulation reflects the minimum design requirements for new facilities and modifications at existing facilities.

This rulemaking is being undertaken in response to a legislative revision to RSMo 644.051.1 in which the requirement to obtain construction permits was eliminated for industrial sources except for the construction of earthen basins. The primary purpose of the rule revision is to remove the references to construction and operating permits and to reorganize and clarify the rule. Although facilities planned without earthen basins will not be required to obtain a construction permit, they must still be designed according to this regulation. Examples of required design criteria include discharge valves that are lockable; bulk storage designed with secondary containment to prevent discharge of spilled product, selection of appropriate materials of construction, among others.

The department is providing a 60-day open comment period for public review and comment on the RIR, December 30, 2015 – March 3, 2016. An open public comment period on the proposed rule amendment will also be provided during the rulemaking process.

The RIR can be accessed on the Water Protection Rule Development Web site at www.dnr.mo.gov/env/wpp/rules/wpp-rule-dev.htm. Written comments regarding the RIR will be accepted through 5 p.m. on March 3, 2015. Comments should be addressed to Diane Reinhardt. Contact information in your e-mails should include your name, e-mail address and phone number. Comments on the RIR and copies of the RIR document may be requested by calling (573) 751-1300, by mail at Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176, Attn: Diane Reinhardt, or by e-mail at diane.reinhardt@dnr.mo.gov